

NEWRY, MOURNE & DOWN DISTRICT COUNCIL

NMD/C/

Minutes of Council Meeting held on Monday 5 December 2016 at 6pm in the Mourne Room, Downshire Civic Centre, Downpatrick

In the Chair: Councillor G Fitzpatrick

In attendance: (Councillors)

Councillor T Andrews	Councillor N Bailie
Councillor P Brown	Councillor R Burgess
Councillor S Burns	Councillor P Byrne
Councillor M Carr	Councillor C Casey
Councillor W Clarke	Councillor G Craig
Councillor D Curran	Councillor S Doran
Councillor S Ennis	Councillor C Enright
Councillor G Hanna	Councillor V Harte
Councillor H Harvey	Councillor T Hearty
Councillor D Hyland	Councillor L Kimmins
Councillor M Larkin	Councillor K Loughran
Councillor J Macauley	Councillor D McAteer
Councillor A McMurray	Councillor R Mulgrew
Councillor M Murnin	Councillor B O'Múiri
Councillor B Quinn	Councillor H Reilly
Councillor M Ruane	Councillor G Sharvin
Councillor G Stokes	Councillor D Taylor
Councillor JJ Tinnelly	Councillor J Trainor
Councillor B Walker	

(Officials)

Mr L Hannaway, Chief Executive
Mrs D Carville, Director of Corporate Services
Mr E Curtis, Director of Strategic Planning and Policy
Mr M Lipsett, Director of Active and Healthy Communities
Mr C O'Rourke, Director of Regulatory and Technical Services
Mrs M Ward, Director of Enterprise, Regeneration and Tourism
Mrs E McParland, Democratic Services Manager
Miss S Taggart, Democratic Services Officer
Mrs C Taylor, Democratic Services Officer

C/215/2016

APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor Devlin.

- With the permission of the Chairperson, Councillor Bailie organised a Mannequin Challenge within the Chamber for the Declan McMullan fund.
- The Chairperson advised it had been 3 years since Newry, Mourne and Down Council became the first Council in Northern Ireland to be awarded the Charter for Elected Members Development and re-accreditation had been attained last week. She thanked everyone involved including Members and Officers.

C/216/2016 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

COUNCIL MINUTES FOR ADOPTION AND SIGNING

C/217/2016 MINUTES OF COUNCIL MEETING HELD ON 7 NOVEMBER 2016

Read: Minutes of Council Meeting held on 7 November 2016 (copy circulated)

AGREED: **The minutes were agreed as an accurate record and adopted on the proposal of Councillor Hearty, seconded by Councillor Harvey.**

C/218/2016 ACTION SHEET ARISING FROM COUNCIL MEETING HELD ON 7 NOVEMBER 2016

Read: Action Sheet from Council Meeting held on 7 November 2016 (copy circulated)

AGREED: **The Action Sheet from Council Meeting held on 7 November 2016 was agreed.**

COMMITTEE MINUTES FOR CONSIDERATION AND ADOPTION

C/219/2016 MINUTES OF ENTERPRISE, REGENERATION AND TOURISM COMMITTEE MEETING HELD ON 14 NOVEMBER 2016

Read: Minutes of Enterprise, Regeneration and Tourism Committee Meeting held on 14 November 2016 (copy circulated)

ERT/171/2016 – Newry River Clean Up DFC Funding

Councillor Hyland welcomed the clean-up of Newry's Clanrye River and said he was, however perplexed as to why Council would transfer £25,000 to Rivers Agency for the clean-up of Clanrye River as they had never shown any willingness to help clean-up the river in the past.

Councillor Casey agreed with Councillor Hyland stating Rivers Agency had been lacking historically with cleaning up the rivers.

Mrs Ward advised the funding for the clean-up of the river was from the Department for Communities and was required to be expended within this financial year. Therefore officials had met with Rivers Agency who had measured term contracts with people involved in clean-ups. She advised that this was the most cost-effective and timely method of ensuring the work was completed in order to be able to draw down the funding.

ERT/178/2016 – Caravan and Campsite Management

Councillor Tinnelly expressed his concerns about the possible privatisation of Kilbroney Forest Park. He proposed that the provision of caravan and camping facilities at Kilbroney Park should remain under the total control and operation of the Council and any external reports being sought in regard to agreeing a joint process between Council and Forest Service to appoint external expertise to prepare the Business Rationale and Specification to seek competent providers should only relate to the management of Tollymore and Castlewella Forest Parks.

This was seconded by Councillor D McAteer who stated that the regime in Kilbroney Park was working well and should be left under the control of the Council.

Members discussed the issue at length with the following points being raised:

- Members were scaremongering and creating fear among the workforce and local community by using language such as privatisation.
- It had only been agreed to conduct a study to improve the camping and caravanning facilities within the three local forest parks.
- The original recommendation was a reasonable way forward to improve all parks.

Mrs Ward stated the objective of the study was to achieve the best solution for the provision of caravan services across Council and Forest Service Forest Parks. The study would provide options to enhance the tourism and recreational services within the parks.

Councillor Tinnelly summed up the debate stating Kilbroney Park was distinct as it was currently operated by Council employees and he stressed he was opposed to any attempts by Council to privatise it. He asked for a recorded vote on his proposal (copy attached).

The Chairperson put the proposal to a recorded vote, the results of which were as follows:

FOR: 17
AGAINST: 21
ABSTENTIONS: 0

The proposal was declared LOST.

ERT/180/2016 – 2017 Events

Councillor Sharvin advised he was concerned that the organisation of St Patrick's Festivals in Newry and Down were being contracted out to a third party and this would affect the community aspect of the festivals. He asked whether it was just the schedule for events and not the budget that was being approved under the minutes.

Mrs Ward advised the budget was indicative and challenges existed with being able to plan events, however the budgets would be approved as part of the rates process.

ERT/179/2016 – Slieve Croob Walking Trails

Councillor Murnin expressed his gratitude to Dromara Cycling Club in coercing the PSNI on upgrading the path at Slieve Croob.

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Ruane, seconded by Councillor Burgess.

C/220/2016 MINUTES OF STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING HELD ON 17 NOVEMBER 2016

Read: Minutes of Strategy, Policy and Resources Committee Meeting held on 17 November 2016 (copy circulated)

SPR/254/2016 – Big Screen – Newry

Councillor Taylor advised concerns had been raised on social media as to whether the big screen had been dealt with appropriately and through the proper channels.

Councillor Sharvin proposed that the matter be referred to the Audit Committee for review to ensure that Council's policies and procedures had been duly followed.

Councillor Walker seconded the proposal stating the matter needed to be finalised and the witch hunt around this matter, needed to stop.

The Chief Executive summarised that the Audit Committee would look at the process for the procurement of the erection of the big screen. He stated however that if the Council approved the recommendations within the minute of SPR Committee Meeting, these recommendations would be acted upon and the Audit Committee review of process would take place at the Meeting of Audit Committee in April 2017.

Councillor Murnin asked whether, by agreeing the minute, Council would be agreeing to hire the screen off Destination Newry for £10,000 per annum. He said if this was the case, there were other mobile screens, such as the one at Downpatrick racecourse, which could be hired at a cost of £1500 per day.

Mr Curtis stated a report would be brought to the ERT Committee highlighting the number of events that the screen was guaranteed to be at, and how to maximise the screen's full potential. He stated that if it was shown to be more expensive, cheaper options could be investigated.

Councillor Murnin stated he did not support the proposed way forward.

AGREED: It was agreed, on the proposal of Councillor Sharvin, seconded by Councillor Walker, that the matter of the Big Screen in Newry be referred to the Audit Committee for review to ensure that Council's policies and procedures had been duly followed.

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Ó'Muirí, seconded by Councillor Walker.

C/221/2016 **MINUTES OF ACTIVE AND HEALTHY COMMUNITIES COMMITTEE MEETING HELD ON 21 NOVEMBER 2016**

Read: Minutes of Active and Healthy Communities Committee Meeting held on 21 November 2016 (copy circulated)

The Chairperson advised the Magnet Centre and Killyleagh Youth Drop-in Centre nominations for Pride of Place Awards in the Waterfront Hall. She stated the Magnet Centre received runner-up and Killyleagh Youth Drop-in Centre had been shortlisted and something would be organised to recognise this success, in due course.

AHC/156/2016 – Fitness Suite Operations for Indoor Leisure Centres

Councillor Reilly asked if a copy of the report that had been circulated could be forwarded to him.

AGREED: It was agreed to send a copy of the report of Fitness Suite Operations for Indoor Leisure Centres to Councillor Reilly.

AHC/150/2016 – Community Access to Dan Rice Hall, Drumaness

Councillor Murnin welcomed the usage of the reading room at Dan Rice Hall, however he queried whether any consultation had been undertaken with local people regarding the unused land to the rear of the community centre.

Mr Lipsett advised he was unaware of any consultation having taken place, however he would investigate and advise the Member accordingly.

AGREED: It was agreed that the Director would investigate whether consultation had taken place with local people regarding the unused land to the rear of Dan Rice Hall, Drumaness and advise Councillor Murnin accordingly.

AHC/158/2016 – Proposed Change of Name for SAND

Councillor Sharvin proposed the name of the Sports Association, being SAND, be amended to South Armagh, Newry and Down Sports Association (SANDSA). This was seconded by Councillor Burns.

AGREED: It was agreed on the proposal of Councillor Sharvin, seconded by Councillor Burns that the name of SAND be amended to South Armagh, Newry and Down Sports Association (SANDSA).

AHC/157/2016 – Council Representation on Sports Association

Mr Lipsett advised the number of Councillors on the Executive Committee needed to be reduced from 8 to 5 in order that the Association could achieve charitable status thereby enabling them to draw down funding.

Following discussions, Sinn Fein, SDLP, UUP and DUP proposed their existing members to remain on the Executive Committee, with the Alliance/Independent Grouping proposing Councillor Hyland.

As these nominations exceeded the number of seats available, the Chief Executive advised a ballot of the members present at the meeting would be conducted, in which each Member would vote for candidates and the vacancies would be filled using the single transferable vote. He suggested this could be referred to the January meeting of Council as it would take some time to organise.

Members queried whether d'Hondt system could be used to facilitate the matter. The Chief Executive advised if d'Hondt was used, the appointments would be filled by Sinn Fein and SDLP only.

Councillor Clarke proposed a 10 minute adjournment for Parties to discuss the matter. This was seconded by Councillor Fitzpatrick and agreed.

The meeting was adjourned for 10 minutes at this stage – 7.40pm

The meeting resumed at this stage – 7.50pm

On the proposal of Councillor Ruane, seconded by Councillor Clarke it was agreed to use d'Hondt as the method of making these appointments.

The Chief Executive ran d'Hondt with the following results:

- Pick No 1 – Sinn Fein – Councillor Ó'Muirí
- Pick No 2 – SDLP – Councillor Sharvin
- Pick No 3 – Sinn Fein – Councillor Burns
- Pick No 4 – SDLP – Councillor D McAteer

Pick No 5 – Sinn Fein – Deferred
Pick No 6 – SDLP – Deferred
Pick No 7 – DUP – Councillor Walker

AGREED: It was agreed, following allocation of appointments using d'Hondt, that the following Councillors sit on the Executive Committee of the Sports Association:
Councillors Burns, D McAteer, Ó'Muirí, Sharvin and Walker.

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Trainor, seconded by Councillor Doran.

C/222/2016 **MINUTES OF REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 23 NOVEMBER 2016**

Read: Minutes of Regulatory and Technical Services Committee Meeting held on 23 November 2016 (copy circulated)

AGREED: The minutes were agreed as an accurate record and adopted on the proposal of Councillor Craig, seconded by Councillor Trainor.

FOR DISCUSSION/DECISION

C/223/2016 **STANDING ORDERS**

Read: Report dated 5 December 2016 from Mrs E McParland, Democratic Services Manager regarding proposed amendment to Council's Standing Orders in accordance with Council's Standing Order 27.2 (Copy circulated).

AGREED: It was agreed on the proposal of Councillor Curran, seconded by Councillor Craig to accept the officer's recommendation to amend Standing Orders and adjourn, without discussion, to Council Meeting on Monday 9 January 2017.

CORRESPONDENCE AND CONFERENCES

C/224/2016 **CORRESPONDENCE RECEIVED FROM LISBURN AND CASTLEREAGH CITY COUNCIL**

Read: Correspondence dated 9 November 2016, received from Lisburn and Castlereagh City Council regarding Notice of Motion in support of ME and Fibromyalgia (Copy circulated)

AGREED: It was agreed on the proposal of Councillor Enright, seconded by Councillor Ruane to support motion adopted by Lisburn and Castlereagh City Council.

C/225/2016 **CORRESPONDENCE RECEIVED FROM JESSE NORMAN MP RE: SELLAFIELD**

Read: Correspondence dated 23 November 2016 received from Jesse Norman, MP regarding Sellafield (copy circulated)

Councillor Trainor proposed that Council be given yearly updates from Sellafield and the progress that was being made.

Councillor Burns seconded the proposal and asked that, in the letter to Jesse Norman MP Council should state, in the strongest possible terms, that costs should not come into the clean-up of Sellafield as this was a health and safety issue.

AGREED: It was agreed on the proposal of Councillor Trainor, seconded by Councillor Burns that Council write to Jesse Norman MP regarding Sellafield asking for yearly updates and stating that costs should not be a consideration when considering the clean-up of Sellafield.

C/226/2016 **SOCIAL VALUE CONFERENCE – SHAPING YOUR FUTURE – MAKING YOUR MARK**

NOTED: The conference on Shaping Your Future – Making Your Mark being held on Thursday 26th January 2017 in Girdwood Community Hub, Belfast was noted.

CONSULTATION DOCUMENTS

C/227/2016 **HEALTH AND SOCIAL CARE TRANSFORMATION – CONSULTATION ON CRITERIA FOR RECONFIGURING HEALTH AND SOCIAL CARE SERVICES**

Read: Report dated 5 December 2016 from Ms A Rennick, Investing for Health Officer regarding Consultation on Criteria for Reconfiguring Health and Social Care Services (Copy circulated)

The Chief Executive advised that meetings of the two Health Forums had been convened for Wednesday 14th December at 3pm in Downpatrick and Friday 16th December at 2pm in Newry to discuss the consultation response.

AGREED: It was agreed that the two Health Forums be convened to discuss the consultation response.

SEALING DOCUMENTS

C/228/2016 **SEALING DOCUMENTS**

AGREED: It was agreed to sign and seal the following documents on the proposal of Councillor Hanna, seconded by Councillor Curran:

1. R/S/233 – McShanes – SELB – Grant of Easement in connection with Newry Youth Resource Centre
2. AD/LEG/101 – Deed of Charge – St Patrick Visitor Centre Limited and Newry, Mourne and Down District Council.

NOTICES OF MOTION

C/229/2016 **NOTICE OF MOTION RECEIVED FROM COUNCILLOR CLARKE**

The following Notice of Motion came forward for consideration in the name of Councillor Clarke:

"This Council supports the call to implement the recommendation by the Constitutional Convention to extend the franchise to include all Irish citizens, regardless of their place of residency, to vote in the next & all future Presidential elections"

In proposing the motion, Councillor Clarke stated the motion was based on the Irish citizens of the north of Ireland and the Irish diaspora being entitled to vote in all Irish presidential elections. The Good Friday Agreement had enshrined in law the rights and entitlements of all Irish citizens across all of Irelands 32 counties and had given Irish citizens in the north full Irish citizenship as a birth right.

Councillor Clarke went on to say that all Irish citizens of voting age should be able to vote in the Irish presidential election wherever they should live. He said he understood that many people in the north of Ireland had a British identity and allegiance to the British monarch, and this would not change, but many people also had an allegiance with an Irish identity.

Councillor O'Múiri seconded the motion stating that this was an important issue for the people of the north and for the Irish diaspora and how Irish people were being discriminated against by being born in the north of the country and many being forced to make a living aboard.

Councillor O'Múiri asked Council to support the Constitutional Convention's recommendation that the Government hold a referendum and extend the vote for the

President to the people in the north and the Irish diaspora, and said this was an opportunity to send a message out when the political and social stability of the entire country was being jeopardised by a vote taken in England to remove part of Ireland from the EU against people's will.

Councillor O' Múiri said the passing of this motion would be welcomed by thousands of people in the north and abroad with open arms.

Councillors Stokes, Brown, Enright and D McAteer spoke in support of the motion.

Councillors Harvey, Taylor and Reilly spoke against the motion. Councillor Taylor said this issue had been discussed before, the Constitutional position of Northern Ireland was clear – that it was a member of the UK and any attempt to offer residents of Northern Ireland a vote in the Irish presidential elections would be an attempt to undermine the constitutional position.

Councillor Tinnelly suggested amending the motion to ask for this to be addressed at MLA, TD and Senator level, demanding implementation of the Convention recommendation to extend voting rights to non-resident people of the state.

The Chairperson put the motion to a vote, the results of which were as follows:

FOR: 30
AGAINST: 8

The PROPOSAL was declared CARRIED.

AGREED: It was agreed on the proposal of Councillor Clarke, seconded by Councillor O'Múiri, that Council supports the call to implement the recommendation by the Constitutional Convention to extend the franchise to include all Irish citizens, regardless of their place of residency, to vote in the next and all future Presidential elections.

C/230/2016 NOTICE OF MOTION RECEIVED FROM COUNCILLOR ENRIGHT

The following Notice of Motion came forward for consideration in the name of Councillor Enright:

“Council notes that towns and villages heavily dependent on tourism need to plan ahead to be able to publish a schedule of events with the media, Tourism NI and to be able to book events, locations and shows, to mobilise community volunteers, and hire requisites.

Council further notes that

1. 'Active and Healthy' funding for festivals and community events is organised on very short timeframes, often only weeks before the actual event making organisation difficult. EG 'Carol Ships Festival' this December or community festivals last summer – even where these have a strong tourism element as in most coastal villages
2. Major tourism event funding is organised by 'Economic Development'. They organise around 'events' and do not view the organisation of events in a given DEA, town or village as a 'joined up' calendar of events in conjunction with Active and Healthy.
3. Coordination and planning of events between the two departments around major tourism centres, looking 12 to 14 months ahead, is non-existent.

Council therefore resolves that villages and towns like Strangford with a large number of successful tourism-related events throughout the year be identified – and a 14 month rolling calendar of events be created for each village and be maintained across both departments.

Where several villages cooperate together to create a season of festivals – this also to be reflected in the schedule for the leading tourism centre – for instance the Lecale Coast Villages from Killough, Ardglass, Dunfort, Ballyhornan, Kilclief and the major tourism village of Strangford. To ensure synergy and sharing of resources.”

Councillor Bailie seconded the motion.

Councillor Fitzpatrick advised that the motion would be referred to the Enterprise, Regeneration and Tourism Committee under Standing Order 16.1 (6) for discussion. She added that Councillor Enright would be invited to the Enterprise, Regeneration and Tourism Committee to speak about the motion.

AGREED: It was agreed that the Motion proposed by Councillor Enright and seconded by Councillor Bailie, be referred to the Enterprise, Regeneration and Tourism Committee for discussion, with Councillor Enright being invited to attend the meeting.

C/231/2016 NOTICE OF MOTION RECEIVED FROM COUNCILLOR ANDREWS

The following Notice of Motion came forward for consideration in the name of Councillor Andrews:

"Newry, Mourne and Down District Council calls upon the Government to make fair transitional state pension arrangements for all women born on, or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification."

In proposing the motion, Councillor Andrews stated that many women born in the 1950s were living in hardship as their retirement plans had been changed with

devastating consequences. He advised many of them struggled to find employment and had worked hard, raised their families and paid their taxes with an expectation that they would be financially secure at the age of 60.

Councillor Andrews stated the pension age was not the dispute in this case, it was the fact that many of these women were given little notification of the changes and therefore had been unable to prepare financially for this increase in their pension age.

Councillor Brown seconded the motion stating this was a very important issue and that a significant burden was being placed on women of a certain age without any transitional arrangements having been put in place. He advised there had been minimal media coverage and a lack of government awareness of the new scheme.

Members spoke unanimously in support of the motion.

AGREED: **It was agreed on the proposal of Councillor Andrews, seconded by Councillor Brown that the Council call upon the Government to make fair, transitional state pension arrangements for all women born on, or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.**

There being no further business, the meeting concluded at 8.40pm

Signed:

Chairperson

Chief Executive

NEWRY, MOURNE & DOWN DISTRICT COUNCIL
RECORDED VOTE

DATE: 05/12/16 VENUE: Downshire Civic Centre MEETING: Council Meeting

SUBJECT OF VOTE: ERT/178/2016 – Caravan and Campsite Management – Proposal from Councillor Tinnelly, seconded by Councillor D McAteer - provision of caravan and camping facilities at Kilbroney Park

COUNCILLOR	FOR	AGAINST	ABSTAIN	ABSENT
T Andrews	√			
N Bailie		√		
P Brown	√			
R Burgess		√		
S Burns		√		
P Byrne	√			
M Carr	√			
C Casey		√		
W Clarke		√		
G Craig		√		
D Curran	√			
L Devlin				√
S Doran		√		
S Ennis		√		
C Enright	√			
G Fitzpatrick	√			
G Hanna		√		
V Harte		√		
H Harvey		√		
T Hearty		√		
D Hyland	√			
L Kimmins		√		
M Larkin		√		
K Loughran	√			
J Macauley		√		
D McAteer	√			
K McAteer				√
A McMurray	√			
R Mulgrew		√		
M Murnin	√			
P Ó Gribín				√
B Ó Muirí		√		
B Quinn	√			
H Reilly		√		
M Ruane		√		
G Sharvin	√			
G Stokes	√			
D Taylor		√		
JJ Tinnelly	√			
J Trainor	√			
B Walker		√		
TOTALS	17	21	0	3